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**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

*Promoting the wise use of land
Helping build great communities*

MEETING DATE July 14, 2005	CONTACT/PHONE Brian Pedrotti 788-2788	APPLICANT Avila Ventures, LLC	FILE NO. TRACT 2636 SUB2003-00205
SUBJECT Request by Avila Ventures, LLC for a Vesting Tentative Tract Map to subdivide an existing 38.15-acre parcel into seven parcels of 5.76, 5.20, 5.23, 5.05, 5.48, 5.46, and 5.98 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Guadalupe Road and Willow Road. The division will create one on-site road. The proposed project site is within the Residential Rural land use category, at the northeast corner of the Willow Road and Guadalupe Road intersection, approximately 800 feet northeast of Highway 1, west of the community of Nipomo, in the South County planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Tract 2636 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on June 9, 2005, for this project. Mitigation measures are proposed to address aesthetics, agricultural resources, air quality, biological resources, geology and soils, hazards/hazardous materials, noise, public services/utilities, recreation, transportation/circulation, wastewater, and water, and are included as conditions of approval.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 091-173-014	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Sec. 22.112.020 & 22.112.040 – South County Rural Area Standards - Areawide and Residential Rural Sec. 22.112.040.F.12 – Northeast corner Willow and Guadalupe roads. Biological/botanical surveys, noise survey, soil borings, agricultural buffers			
LAND USE ORDINANCE STANDARDS: Sec. 22.22.060– Residential Rural Subdivision Design			
EXISTING USES: Abandoned lemon orchard, water well			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Rural / Outdoor nursery and greenhouse South: Industrial; Residential Rural / Single-family residence		East: Residential Rural / Avocado orchard; cut flower greenhouse operation West: Residential Suburban / Single-family residences	
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Council, Public Works, Environmental Health, Ag Commissioner, County Parks, CDF, Nipomo Community Services District, APCD, RWQCB	
TOPOGRAPHY: Nearly level	VEGETATION: Abandoned lemon orchard, grasses, forbs
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: November 9, 2004

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.060 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural land use category. The standards are based on the distance from an urban areas, fire response time, type of access serving the property and the topography of the site. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 5 acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Remoteness	0 miles from the Callendar-Garrett Village Area	5 acres
Fire Hazard/ Response Time	Within the 15 minute response time In the high fire hazard area	5 acres
Access	Located on a 60 foot right-of-way	5 acres
Slope	Average slope is between 0 and 15%	5 acres

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

PLANNING AREA STANDARDS:

Section 22.12.020 Areawide Standards

Circulation Planning: Land divisions shall provide offers of dedication for public streets, bikeways and pathways. Gross acreage may be utilized to calculate the allowable number of parcels. Traffic noise mitigation required in the form of setbacks/open space, site layout,

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earthen berms, or structural measures, in that order of priority. As conditioned, the project meets these standards. Guadalupe and Willow Roads will be dedicated to an A-1 road standard, which provides sufficient width for street and pathway improvements. The project includes building setbacks to mitigate for traffic noise.

Section 22.112.040 Rural Areawide Standards

Circulation: New land divisions shall provide for circulation linkages, combined driveways where feasible, and equestrian, pedestrian and bike paths. Road alignments shall be designed to minimize terrain disturbance, with erosion control measures. As proposed and conditioned, the project meets these standards. Guadalupe and Willow Roads will be dedicated to an A-1 road standard, which provides sufficient width for street and pathway improvements. Standard erosion control measures will be required with the SWPPP.

Section 22.112.040 Northeast corner Willow and Guadalupe roads

Street lighting, biological resources, botanical resources, noise, soil borings, agricultural buffers. As proposed and conditioned, the project meets these standards. Botanical and noise surveys were submitted, and monarch butterfly habitat was examined off-site. Agricultural buffers are included. Soil borings and a street lighting plan are required as conditions of approval.

ENVIRONMENTAL DETERMINATION:

Agricultural Resources

The proposed project is located in the Residential Rural land use category, and is dominated by an abandoned lemon orchard. Surrounding agricultural uses include greenhouses and avocado orchards to the east, an outdoor plant nursery to the north, vegetable and strawberry production to the southwest, and a tree farm to the southeast. The project was referred to the Agricultural Commissioner's Office, who recommended the establishment of agricultural buffers on the project site (refer to Exhibits B and C). In addition, the project will include a disclosure to potential future buyers of the surrounding agricultural operations.

COMMUNITY ADVISORY GROUP COMMENTS: The NCAC recommended approval of this project contingent on the plan showing seven 5-acre plus (net) lots, not restrictive to horse-keeping, not clustered, with a curved road, and improved equestrian trails.

AGENCY REVIEW:

Public Works – Recommend approval with stock conditions and road improvements.
Environmental Health - Preliminary evidence of water and ability to serve by septic. Well driller report, pump testing, and water quality test required prior to recordation of final map. Well setback on proposed parcel 5, all septic systems outside 200 foot setback of well.
Ag Commissioner – Less than significant impact with recommended mitigation measures.
County Parks – Require applicable Building Dept. and Quimby fees.
CDF - See attached fire safety plan dated March 22, 2005.
Nipomo Community Services District – Review water resources on Nipomo Mesa.

LEGAL LOT STATUS:

The one existing lot was created by a recorded map at a time when that was a legal method of creating lots.

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FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on June 9, 2005, for this project. Mitigation measures are proposed to address aesthetics, agricultural resources, air quality, biological resources, geology and soils, hazards/hazardous materials, noise, public services/utilities, recreation, transportation/circulation, wastewater, and water, and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Rural land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of single-family residences.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary and secondary dwelling.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project is of limited size and scope and is not located in close proximity to significant wildlife habitat.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

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EXHIBIT B

CONDITIONS OF APPROVAL FOR TR 2636

Approved Project

1. Request by Avila Ventures, LLC for a Vesting Tentative Tract Map to subdivide an existing 38.15-acre parcel into seven parcels of 5.76, 5.20, 5.23, 5.05, 5.48, 5.46, and 5.98 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Guadalupe Road and Willow Road. The division will create one on-site road.

Access and Improvements

2. Roads and/or streets to be constructed to the following standards:
 - a. New street constructed to an A-1 section within a 50 foot dedicated right-of-way.
 - b. Guadalupe and Willow Roads widened to complete an A-1 section fronting the property.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
 - a. A 20 foot radius property line return at the intersection of Guadalupe and Willow Roads.
 - b. The 50 foot road easement for the new on-site street terminating in a county cul-de-sac as shown on the tentative map.
4. The intersection of Guadalupe and Willow Road be designed in accordance with California Highway Design Manuals Section 405.7 and constructed on the project side of the two roads (additional right-of-way may be required).
5. Access be denied to lots 1,5, 6, and 7 from Guadalupe and Willow Roads except at new street and that this be by certificate and designation on the map.

Improvement Plans

6. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Grading and erosion control plan for subdivision related improvement locations.
 - d. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot. The street lighting plan shall be designed to minimize the

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- amount of light and glare visible to Willow Road through the use of recessed lights and down-shielding.
- e. Retention of existing pine trees adjacent to Willow Road.
7. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
8. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

9. **Prior to recordation of the final map**, the applicant shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board. The Best Management Practices (BMPs) identified in the SWPPP shall be implemented during construction of tract and road improvements. The BEST Management Practices identified in the Stormwater Pollution Prevention Plan (SWPPP) shall be implemented during construction of individual lot development.
10. Submit complete drainage calculations to the Department of Public Works for review and approval.
11. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
12. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
- a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

Wastewater Disposal

13. Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the

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proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system.

Utilities

14. Electric and telephone lines shall be installed underground or overhead.
15. Cable T.V. conduits shall be installed in the street.
16. Gas lines shall be installed.

Design

17. The applicant shall apply to the Department of Planning and Building for approval of a new street name prior to the filing of the final parcel or tract map. The approved street name shall be shown on the final parcel or tract map.

Fire Protection

18. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
19. **Prior to final map recordation**, the project shall comply with the Fire Safety Plan from CDF dated March 22, 2005, including all access requirements.

Parks and Recreation (Quimby) Fees

20. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

21. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.
22. Prior to recordation of the final map, the applicant shall submit water well documentation for each proposed lot including a well completion report, well capacity (pump test) results, and full water quality testing not more than five years old. If a community water system is proposed instead of individual wells on each lot, the system shall be reviewed and approved by the Environmental Health Division, and shall meet testing and reporting requirements.

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Additional Map Sheet

23. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
 - b. **Prior to issuance of grading and building permits for development on Lots 5, 6, and 7**, plans shall show that the existing pine trees adjacent to Willow Road shall be retained.
 - c. **Prior to issuance of building permits for individual lot development**, the applicant shall submit an exterior lighting plan demonstrating how all exterior lighting would be covered and shielded to minimize off-site glare.
 - d. **Prior to sale of each individual lot and/or residence**, the applicant shall provide each new landowner with a copy of the County Right-to-Farm Ordinance and notification regarding adjacent agricultural land uses. Notification shall include typical and potential hours of operation, the types of crops grown and the usual activities that may occur on properties with irrigated orchards or commercial nurseries. This would include noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity.
 - e. **Prior to issuance of building permits for development on the proposed parcels**, proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.
 - f. The applicant shall show the agricultural buffers described below and shown on Exhibit C onto the additional map sheet. Habitable structures shall not be permitted within the buffer areas.
 - i. 400 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the northeast.
 - ii. 300 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the southeast while retaining existing vegetation on the southeast portion of the project site.
 - iii. 300 feet from the edge of the expanded greenhouse operation to the east (240 feet from the eastern property boundary).
 - g. The applicant shall show a 150-foot noise buffer along the southern property boundary on the additional map sheet. Habitable structures and outdoor areas accessory to residential uses shall not be permitted within the noise buffer area.

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- h. **Prior to recordation of the final map**, the applicant shall submit the results of soil borings and percolation testing at leach line location showing that there is adequate separation and percolation rates, or plans for an engineered wastewater system that shows how the basin plan criteria can be met.
- i. The applicant shall show a 200-foot buffer surrounding the existing public well on the project site. The construction of individual septic systems, leach fields, and associated improvements shall not be permitted within this 200-foot buffer zone.

Covenants, Conditions and Restrictions

24. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
- a. Maintenance of all local streets within the subdivision until acceptance by a public agency.
 - b. **Prior to issuance of grading and building permits for development on Lots 5, 6, and 7**, plans shall show that the existing pine trees adjacent to Willow Road shall be retained.
 - c. **Prior to issuance of building permits for individual lot development**, the applicant shall submit an exterior lighting plan demonstrating how all exterior lighting would be covered and shielded to minimize off-site glare.
 - d. **Prior to sale of each individual lot and/or residence**, the applicant shall provide each new landowner with a copy of the County Right-to-Farm Ordinance and notification regarding adjacent agricultural land uses. Notification shall include typical and potential hours of operation, the types of crops grown and the usual activities that may occur on properties with irrigated orchards or commercial nurseries. This would include noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity.
 - e. **Prior to recordation of the final map**, the applicant shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board. The Best Management Practices (BMPs) identified in the SWPPP shall be implemented during construction of tract and road improvements. The BEST Management Practices identified in the Stormwater Pollution Prevention Plan (SWPPP) shall be implemented during construction of individual lot development.
 - f. **Prior to issuance of building permits for development on the proposed parcels**, proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.
 - g. The applicant shall show the agricultural buffers described below and shown on Exhibit C onto the additional map sheet. Habitable structures shall not be permitted within the buffer areas.

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- i. 400 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the northeast.
 - ii. 300 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the southeast while retaining existing vegetation on the southeast portion of the project site.
 - iii. 300 feet from the edge of the expanded greenhouse operation to the east (240 feet from the eastern property boundary).
- h. The applicant shall show a 150-foot noise buffer along the southern property boundary on the additional map sheet. Habitable structures and outdoor areas accessory to residential uses shall not be permitted within the noise buffer area.
- i. **Prior to recordation of the final map**, the applicant shall submit the results of soil borings and percolation testing at leach line location showing that there is adequate separation and percolation rates, or plans for an engineered wastewater system that shows how the basin plan criteria can be met.
- j. The applicant shall show a 200-foot buffer surrounding the existing public well on the project site. The construction of individual septic systems, leach fields, and associated improvements shall not be permitted within this 200-foot buffer zone.

Miscellaneous

25. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
26. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

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STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS
USING INDIVIDUAL WELLS AND SEPTIC TANKS

1. Each parcel shall have its own private well(s) for a domestic water supply approved by the county Health Department, except as set forth in 2C.
2. Operable water facilities shall exist prior to the filing of the final parcel map. Evidence of adequate and potable water, shall be submitted to the county Health Department, including the following:
 - A. (Potability) A complete on-site chemical analysis shall be submitted for evaluation for each of the parcels created or as required.
 - B. (Adequacy) On individual parcel wells or test holes, a minimum four (4) hour pump test performed by a licensed and bonded well driller or pump testing business shall be submitted for review and approval for each of the new parcels created.
 - C. If the applicant desires purveying water to two (2) or more parcels or an average of 25 or more residents or non-residents (employees, campers, etc.) on a daily basis at least sixty (60) days out of the year, application shall be made to the county Health Department for a domestic water supply permit prior to the filing of the final map. A bond may be used for operable water facilities (except well(s)). Necessary legal agreements, restrictions and registered civil engineer designed plans, in conformance with state and county laws and standards shall be submitted by the applicant and reviewed and approved by County Public Works and the county Health Department, prior to the filing of the final map.
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.
6. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning Department for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions

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including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.

7. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
8. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
9. Any existing reservoir or drainage swale on the property shall be delineated on the map.
10. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
11. Required public utility easements shall be shown on the map.
12. Approved street names shall be shown on the map.
13. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
14. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
15. Any private easements on the property shall be shown on the map with recording data.
16. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
17. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
18. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
19. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

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**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Avila Ventures Tract Map; SUB2003-00205 TR2636 ED04-076

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

<u>Brian Pedrotti</u>	<u>Brian Pedrotti</u>	<u>6/9/05</u>
Prepared by (Print)	Signature	Date
<u>Steven McMasters</u>	<u>Ellen Carroll</u>	<u>6/9/05</u>
Reviewed by (Print)	Signature (for)	Date
	Ellen Carroll, Environmental Coordinator	

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Avila Ventures, LLC for a Vesting Tentative Tract Map to subdivide an existing 38.15-acre parcel into seven parcels of 5.76, 5.20, 5.23, 5.05, 5.48, 5.46, and 5.98 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Guadalupe Road and Willow Road. The division will create one on-site road. The proposed project site is within the Residential Rural land use category, at the northeast corner of the Willow Road and Guadalupe Road intersection, approximately 800 feet northeast of Highway 1, west of the community of Nipomo, in the South County planning area.

ASSESSOR PARCEL NUMBER: 091-173-014

SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: South County

LAND USE CATEGORY: Residential Rural

COMBINING DESIGNATION(S): None applicable

EXISTING USES: Abandoned lemon orchard, water well

TOPOGRAPHY: Nearly level

VEGETATION: Abandoned lemon orchard, grasses, forbs

PARCEL SIZE: 38.14 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Rural / Outdoor nursery and greenhouse	<i>East:</i> Residential Rural / Avocado orchard; cut flower greenhouse operation
<i>South:</i> Industrial; Residential Rural / Single family residence	<i>West:</i> Residential Suburban / Single-family residences

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C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	<i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	<i>Create glare or night lighting which may affect surrounding areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	<i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is a 38.14-acre parcel located in the northeast corner of the Guadalupe Road and Willow Road intersection, as shown in Figures 1 through 3. Highway 1 curves northwest/southeast approximately 800 feet southwest of the parcel. The project parcel is characterized by nearly level to gently sloping topography supporting an abandoned lemon orchard, grasses, and forbs. A well site and associated structure is located on the parcel. A row of pine trees is located along the southern property boundary adjacent to Willow Road, and the canopies of the trees overlap, blocking views of the project site as seen from the westbound travel lane of Willow Road. Guadalupe Road is located along the western boundary of the parcel. Single-family residences and a row of eucalyptus trees are located on the west side of Guadalupe Road. Undeveloped eucalyptus groves and an outdoor nursery and greenhouse operation are located to the north, and an avocado orchard is located to the east. A line of eucalyptus trees is present along the southern Willow Road right-of-way, and along Guadalupe Road south of Willow Road.

Impact. The applicant is proposes to subdivide the parcel into seven parcels ranging in size from 5.05 to 5.98 acres. Each lot would potentially support one primary residence, one secondary residence, and accessory agricultural uses. Implementation of the project would require the widening and improvements to Guadalupe Road and Willow Road. Additional associated improvements would include the construction of one on-site road and installation of utility lines. The applicant is not proposing street lighting, however, future residences would likely include the installation of exterior lighting.

The rows of eucalyptus trees along Willow Road and Guadalupe Road block a majority of views from both travel lanes on Highway 1 and Willow Road. Future residential development including residences and street lighting would be visible from the southbound travel lane of Highway 1 and

eastbound travel lane of Willow Road for approximately two to three seconds. If the row of pine trees were removed on the project site, the duration of project site visibility would increase to approximately three to five seconds as seen from Highway 1, and the project site would be visible along the entire stretch of Willow Road as seen from both east and westbound travel lanes. The project site is located at approximately the same elevation as Highway 1 and Willow Road, and future development would be back-dropped by gently sloping topography to the north and eucalyptus trees to the north, east and west. Due to the limited visibility of existing residential neighborhoods and the dominance of agricultural uses within this stretch of Willow Road, implementation of the proposed project would modify the existing visual character of the project area, potentially resulting in a significant impact. In addition, development of a residential area may generate additional light and glare on a parcel currently devoid of lighting.

Mitigation/Conclusion. Pursuant to Section 22.112.040.G.1.e (South County Rural Area Standards, Residential Rural Areawide Standards), the applicant is required to retain and incorporate existing vegetation as much as feasible into the subdivision design. To ensure that a vegetative buffer remain in this location to preserve the rural character of the area, the applicant has agreed to retain row of existing pine trees adjacent to Willow Road. To mitigate for the generation of light and glare resulting from future development, all exterior lighting associated with future residences and structures shall be shielded pursuant to Section 22.10.060 of the County Land Use Ordinance. Implementation of these measures would mitigate visual impacts to a level of insignificance.

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project is located within the Residential Rural land use category. The soil type mapped for the project site is Oceano sand (Class VI non-irrigated, and Class IV irrigated). Currently the site is dominated by an abandoned lemon orchard with an underlying irrigation system. Surrounding agricultural uses include greenhouses and avocado orchards to the east, an outdoor plant nursery to the north, vegetable and strawberry production to the southwest, and a tree farm to the southeast.

Impact. Implementation of the proposed subdivision would result in the creation of seven new parcels. In addition to one primary single family residence and one secondary residence per parcel, additional allowable accessory agricultural uses would include crop production and grazing, and special agricultural uses include agricultural accessory structures, agricultural processing, animal raising and keeping, farm equipment and supplies, nurseries, and specialized animal facilities.

The proposed project was referred to the Agricultural Commissioner's Office for review. The Agricultural Commissioner's Office stated that implementation of the proposed project would potentially impact existing agricultural operations by trespass, theft of product, damage to equipment,

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and complaints regarding dust, odors, noise, and legal pesticide use (Michael Isensee; August 3, 2004).

Mitigation/Conclusion. To mitigate for incompatibility issues between existing agricultural uses and future residential development, the Agricultural Commissioner's Office recommends the establishment of agricultural buffers on the project site (refer to Exhibits B and C). Habitable structures shall not be permitted within the buffer zone. To minimize the potential for future complaints, the applicant has agreed to provide future landowners with a copy of the County Right-to-Farm Ordinance and information regarding adjacent existing land uses. Implementation of these measures would mitigate potential agricultural impacts to less than significant.

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Air Quality. In 1989, the State Air Resources Board (ARB) designated San Luis Obispo County a non-attainment area for exceeding the State's air quality standards set for ozone and dust (small particulate matter or PM10). In 2003, the State ARB determined that the county was in attainment for ozone. The project site is located within the South Central Coast Air Basin and is nearest to the Nipomo Ralco Way Air Quality Monitoring Station. Based on the latest air monitoring station information (per the County's RMS annual report, 2003), the trend in air quality in the general area is improving.

The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gases (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e., application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

Objectionable Odors. The proposed project site is located adjacent to existing agricultural operations including an avocado orchard and a greenhouse nursery. These farming operations periodically generate objectionable odors due to fertilizers and use of agricultural equipment.

Impact.

Air Quality. Implementation of the proposed project would result in the creation of seven parcels, and the construction of up to seven primary residences, seven secondary residences, and associated improvements. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any project-specific mitigation.

The Clean Air Plan includes land use management strategies to guide decision makers on land use approaches that result in improved air quality. This development is somewhat inconsistent with the "Planning Compact Communities" strategy, where increasing development densities within urban areas is preferable over increasing densities in rural areas. Increasing densities in rural areas results in longer single-occupant vehicle trips and increases emissions. Given the smaller number of potential new residences and the project site's proximity to the VRL of the Village of Callender-Garrett, individually the impacts are expected to be less than significant.

In 1994, the South County Area Plan was adopted and associated EIR certified. As a part of that analysis, a cumulative assessment of the buildout impacts of the planning area was completed, which included the ultimate breakdown of the subject property as is currently proposed. While cumulative impacts to air quality was identified in the EIR as potentially significant and unavoidable, the findings recognized that the existing cumulative air quality mitigation program, combined with a slight improvement over the previous Area Plan buildout would offset some of these impacts.

Objectionable Odors. The existing agricultural operations adjacent to the project site may generate objectionable odors potentially affecting the occupants of future residential development.

Mitigation/Conclusion.

Air Quality. Each new residence is subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air quality and reduce single-occupant vehicles, by: attracting transit ridership through regional bus stop improvements; encouraging carpooling through park-and-ride lot improvements and ridesharing advertising; promoting the use of bicycles through bike lane installation; reducing dust through limited road paving of several unpaved roads; and by providing electronic information/services locally to reduce vehicle trip lengths.

Objectionable Odors. The existing agricultural operations have a right to farm, as regulated by the County Code. During development of the future tentative map, the Agricultural Commissioner's Office will make recommendations regarding appropriate buffers to minimize agriculture and residential land use incompatibility impacts (refer to Section 2).

Based on the proposed project location and implementation of the proposed mitigation measures relating to air quality, impacts will be reduced to less than significant levels.

4. BIOLOGICAL RESOURCES -
Will the project:

a) ***Result in a loss of unique or special status species or their habitats?***

Potentially
Significant

☐

Impact can
& will be
mitigated

☐

Insignificant
Impact

☒

Not
Applicable

☐

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Based on the proposed project location and implementation of the proposed mitigation measures relating to air quality, impacts will be reduced to less than significant levels.

4. BIOLOGICAL RESOURCES - Will the project:		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Result in a loss of unique or special status species or their habitats?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Impact wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Special-status Wildlife Species. The proposed project site is located within the range of monarch butterfly (*Danaus plexippus*) over-wintering habitat. A forest of eucalyptus trees located north of the parcel potentially provides monarch over-wintering habitat.

Special-status Plant Species. The proposed project site is located within the vicinity of documented sensitive plant species including: crisp monardella (*Monardella crista*), dune larkspur (*Delphinium parryi* ssp. *blochmaniae*), Kellogg's horkelia (*Horkelia cuneata* ssp. *sericea*), Nipomo Mesa lupine (*Lupinus nipomensis*), sand mesa manzanita (*Arctostaphylos rudis*), and San Luis Obispo monardella (*Monardella frutescens*). These species are documented by the California Natural Diversity Database as occurring within one mile of the project site. No mature coast live oak (*Quercus agrifolia*) individuals were observed onsite.

Crisp Monardella

Crisp monardella is a California Native Plant Society (CNPS) List 1B (rare, threatened, or endangered in California and elsewhere) rhizomatous herb. This species occurs within coastal dunes and coastal scrub habitat types. The elevation range for this species is 10 to 120 meters, and the blooming period is April through August.

Dune Larkspur

Dune larkspur is a CNPS List 1B perennial herb. This species occurs within chaparral and coastal dune habitat types. The elevation range for this species is 0 to 200 meters, and the blooming period is April through May.

Kellogg's Horkelia

Kellogg's horkelia is a CNPS List 1B perennial herb. This species occurs within closed-cone coniferous forest, maritime chaparral, and coastal scrub habitat types. The elevation range for this species is 10 to 200 meters, and the blooming period is April through September.

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Nipomo Mesa Lupine

Nipomo Mesa lupine is a Federal Endangered, California Endangered, and CNPS List 1B annual herb. This species occurs within the coastal dune habitat type. The elevation range for this species is 10 to 50 meters, and the blooming period is March through May.

Sand Mesa Manzanita

Sand mesa manzanita is a CNPS List 1B evergreen shrub. This species occurs within chaparral and coastal scrub habitat types. The elevation range for this species is 25 to 230 meters, and the blooming period is November through February.

San Luis Obispo Monardella

San Luis Obispo monardella is a CNPS List 1B rhizomatous herb. This species occurs within coastal dune and coastal scrub habitat types. The elevation range for this species is 10 to 200 meters, and the blooming period is May through September.

The applicant submitted a botanical survey report prepared by Malcolm McLeod, PhD on May 17, 2003. Based on the results of the survey, no special-status plant species are present onsite.

Impacts.

Special-status Wildlife Species. Potential over-wintering habitat for monarch butterflies is present off-site, immediately north of the project site. During a site visit on February 7, 2005, no monarchs were observed within the trees adjacent to the project site, and no individual monarchs were observed foraging or migrating across the project site. Preferential habitat for the monarch butterfly is likely located within the eucalyptus forest protected by prevailing winds, and not along the fringe trees. The trees located north of the project site would provide a buffer for any potential over-wintering monarch butterflies during construction of the proposed project and operation of future development. Based on the lack of potential habitat within the project site, and the existing natural buffer of eucalyptus trees offsite, significant impacts to over-wintering monarch butterfly habitat would not occur as a result of the proposed project.

Mitigation/Conclusion. No significant impacts to biological resources were identified, and no mitigation measures are necessary.

5. CULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Disturb pre-historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Disturb historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located within an area historically occupied by the Obispeño Chumash Native Americans. A Phase I surface survey was conducted on the project parcel to determine the presence of significant pre-historic and historic resources (Clay Singer; May 17, 2003). During the field survey, no prehistoric or historic resources were observed on the project site. No structures are present on the proposed project site. In addition, the nearest recorded archaeological site is located over four miles from the project site. The underlying soils consist of older dune deposits, and are likely too young to contain significant paleontological resources.

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Mitigation/Conclusion. Based on the findings of the Phase I surface survey report and lack of conditions indicative of significant cultural resources findings, it is unlikely that cultural resources would be impacted by future development of the project site.

6. GEOLOGY AND SOILS - <i>Will the project:</i>		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	<i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	<i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	<i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g)	<i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	<i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i)	<i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j)	<i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Geology. The topography of the project site is nearly level to gently sloping. The entire parcel is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate. No active faulting is known to exist on or near the subject property. The project is not potentially within a known area containing serpentine rock. There is no evidence that measures above what will already be required by ordinance or code are needed.

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Drainage. The Black Lake Canyon/Slough is located approximately 1,500 feet north of the project site. The project site is located outside of the 100-year Flood Hazard designation. As described in the Natural Resources Conservation Service (NRCS) Soil Survey, the soils mapped for the site are excessively drained. Prior to future development, a drainage plan is required by County Land Use Ordinance Section 22.52.080 and the South County Area Plan to minimize the future development's affect on existing drainage patterns. No specific measures above what will already be required by the South County Area Plan, ordinance, or code are considered necessary.

Sedimentation and Erosion. The soil type mapped for the project site is Oceano sand. As described in the NRCS Soil Survey, the soil surface erodibility is considered low and the shrink-swell characteristic is low. An erosion and sedimentation control plan is required by County Land Use Ordinance Section 22.52.090, and a Storm Water Pollution Prevention Plan (SWPPP) is required by the State Water Resources Control Board for disturbance exceeding one acre. No specific measures above what will already be required by the South County Area Plan, ordinance, or code are considered necessary.

Mitigation/Conclusion. Based on implementation of required South County Planning Area Standards, local ordinance and state regulations requiring the preparation and implementation of drainage, erosion, and sedimentation control plans and a SWPPP, no additional mitigation measures are necessary.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project is located within an area dominated by an abandoned lemon tree orchard, grasses, and forbs. There are no known hazardous waste sites or pipelines underlying or in the vicinity of the project area. The project is not located in an area of known hazardous material contamination and does not propose use of hazardous materials. The proposed project is within a high fire hazard severity area. The proposed project was referred to the California Department of Forestry/County Fire (CDF) for review.

The applicant proposes to install individual wells and fire suppression water storage tanks on each lot. CDF recommends a community water system because the system would be more reliable than individual wells and water storage tanks, and is pressurized with an unlimited water supply, as opposed to a draft system, which would require fire engines to draft and require more time and personnel (Gilbert Portillo; March 22, 2005). In addition, future development is required to meet the standards listed in the 2001 California Fire Code, 2001 Building Code, Public Resources Code, and all other applicable fire requirements. These requirements will be site specific, and include specifications for the minimum volume of water storage, adequate hydrant placement, driveway and road standards, emergency vehicle access, premise identification, fire protection systems, and vegetation clearance. Based on discussions with CDF, the individual water system would be adequate for fire suppression, and implementation of the project as proposed would not result in a significant, adverse fire impact; however the community water system is preferred (Rob Lewin; March 21, 2005).

Mitigation/Conclusion. Implementation of required fire safety regulations would mitigate fire hazard impacts to a level of insignificance. No additional mitigation measures are required.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels which exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Noise Exposure. The proposed project site is located adjacent to Willow Road, and approximately 800 feet northeast of Highway 1, which currently generate noise in the area. The topography between the project site and these roads is nearly level to gently sloping. According to the *County Noise Element*, approximately 3.5 acres of the project parcel is located within the 60 Ldn noise level contour, including approximately 1.3 acres within the 65 Ldn noise level contour (County of San Luis Obispo; May 1992).

The applicant submitted a noise report prepared by Morro Group, Inc. on October 20, 2004. Based on the noise measurements documented in the noise study, the existing 65 average decibel (dBA) noise contour is located approximately 20 feet north of Willow Road, and the 60 dBA noise contour is located approximately 60 feet north of Willow Road. Based on calculated future noise levels, the 65 dBA noise contour would be 60 feet north of Willow Road, and the 60 dBA noise contour would be 150 feet from Willow Road (Morro Group, Inc.; October 20, 2004). According to the *Noise Element*, 60 to 65 Ldn exterior and 45 dB interior noise level exposure to residential land uses is "conditionally acceptable". Noise level exposure exceeding 65 Ldn is considered "unacceptable".

Noise Generation. Implementation of the proposed project would potentially result in seven primary and seven secondary residences and approximately 108 daily traffic trips. Generation of these trips would contribute to the cumulative generation of transportation-related noise in the South County area. Generation of these trips would not result in a significant level of transportation-related noise.

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Mitigation/Conclusion. To mitigate for potential noise exposure impacts, the applicant has agreed to establish a 150-foot buffer along the southern property boundary. No habitable structures or outdoor areas accessory to the residential uses shall be permitted within the noise buffer.

9. POPULATION/HOUSING -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Implementation of the proposed project would result in the creation of seven lots, and the potential development of up to seven primary and seven secondary residences. The anticipated additional eleven residences is not anticipated to significantly induce growth, but would facilitate housing demand. The future development would not displace existing housing or use a substantial amount of fuel or energy to construct and maintain. The applicant would provide up to five new primary dwelling units and seven secondary dwelling units to offset the housing shortage in San Luis Obispo county (per State Housing Mandate). Implementation of the proposed project would not use a substantial amount of fuel or energy to construct and maintain or displace existing housing or people. Future construction activities are likely to be implemented by local companies and would not require additional housing in the South County area or elsewhere in the County.

Mitigation/Conclusion. In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. In addition, Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

10. PUBLIC SERVICES/UTILITIES

- Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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10. PUBLIC SERVICES/UTILITIES

- Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is served by the County Sheriff's Department and California Department of Forestry (CDF)/County Fire as the primary responders. The closest Sheriff sub-station is located in the community of Oceano, approximately 5.75 miles from the project site. The closest CDF station is the Mesa station, approximately 1.25 miles from the project site. The project site is located within the Lucia Mar Unified School District.

Impact. This proposed project, along with numerous others in the area would have a cumulative effect on police and fire protection and schools.

Mitigation/Conclusion. Public facility and school fee programs have been adopted to address this impact and would reduce the cumulative impact to a level of insignificance. No significant project-specific impacts to utilities or public services were identified, and no additional mitigation measures are recommended.

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The County Trails Plan shows a proposal for the Nipomo Park to Brushpoppers Arena trail along Willow Road and Guadalupe Road towards Black Lake Canyon. The proposed project was referred to the County Parks Division for review. Based, on the Parks Division's review of the project, a trail corridor or easement is not required, however the proposed project would contribute to the cumulative demand for recreational resources in the area (Jan DiLeo; July 7, 2004 and August 19, 2004).

Mitigation/Conclusion. The project is not proposed in a location that will affect any trail, park or other recreational resource, and would not create a project-specific significant need for additional park or recreational resources. To mitigate for the cumulative impact on County-wide recreational resources and facilities, prior to final map recordation, County ordinance requires the payment of a fee for the

improvement or development of neighborhood or community parks. These "Quimby" fees will adequately mitigate the project's impact on recreational facilities.

12. TRANSPORTATION/ CIRCULATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The applicant proposes to access the project site from Guadalupe Road, a local road providing access to the single family residences and agricultural operations in the area. Guadalupe Road intersects Willow Road at the southwest corner of the project site. Willow Road is an arterial that carries traffic from Highway 101 in the community of Nipomo through the Village of Callender-Garrett to Highway 1. These roads are currently operating at acceptable levels of service in the vicinity of the proposed project site.

Implementation of the proposed project would result in the creation of seven lots, each supporting up to one primary and one secondary residence. The total average daily trip count at build-out would be 108. The proposed project was referred to the County Public Works Department. The Department did not identify any significant impacts, and recommended the following standard improvements: 1) improvements to the corner of Willow Road and Guadalupe Road; construction of a left turn lane on Willow Road; and, 3) widening and additional paving along the frontage of Willow Road (Mike Goodwin; June 16, 2004). Implementation of these improvements would occur within existing disturbed areas alongside Willow Road, and would not result in any significant secondary impacts.

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The proposed project would not result in significant project-specific impacts, but would contribute to the cumulative increase of traffic within South County. To mitigate for cumulative impacts, the applicant is required to contribute funds to the South County Road Improvement Fee Program (James Kilmer, personal communications; February 6, 2003).

Mitigation/Conclusion. Based on the proposed project location, existing and projected acceptable level of service and capacity of local roads, and the referral responses from the Department of Public Works and Caltrans, improvements to Guadalupe Road and Willow Road are necessary to mitigate for anticipated traffic impacts resulting from future residential development of the project site. Implementation of road improvements and payment of Road Impact Fees would mitigate traffic and circulation impacts to a level of insignificance.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The applicant proposes to install individual septic systems and leach fields on each proposed lot. Based on the Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type is Oceano sand. For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the soil's ability to percolate or "filter" effluent, the soil's depth and the slope on which the system is placed. To assure a successful system that meets the Central Coast Basin Plan, additional analysis or engineering is needed when one or more factors exist: the ability of the soil to "filter" effluent is either too fast (percolation rate is faster or less than 30 minutes per inch and has "poor filtering" characteristics) or is too slow (slower or more than 120 minutes per inch); the topography on which a system is placed is steep enough to potentially allow "daylighting" of effluent downslope; or the separation between the bottom of the leach line to bedrock or high groundwater is less than five feet. Based on the NRCS Soil Survey, the main limitation(s) of this soil for wastewater effluent consists of poor filtering.

Poor Filtering. Poor filtering is a characteristic of very permeable soil. Without special engineering, a standard leach field will require larger separations between the leach lines and the groundwater basin to provide adequate filtering.

The proposed project was referred to the County Environmental Health Division for review. The Division acknowledged that individual wastewater disposal systems are an acceptable method of disposal, however addition information needs to be shown on the final map prior to map recordation (Laurie Salo; October 7, 2004). The applicant is required to show that future wastewater systems would be located a minimum of 200 feet from the existing well located on proposed parcel 5.

Mitigation/Conclusion. In addition to compliance with the Central Coast Basin Plan, due to limited availability of information relating to the poor filtering soil characteristic, additional information will be

needed prior to development as follows: soil borings at leach line location showing that there is adequate separation, or if inadequate separation, plans for an engineered wastewater system that shows how the basin plan criteria can be met. In addition, the applicant has agreed to show a 200-foot buffer zone around the existing well. The construction of individual septic systems, leach fields, and associated improvements shall not be permitted within this 200-foot buffer zone.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impacts.

Surface Water. The Black Lake Canyon/Slough is located approximately 1,500 feet north of the project site. Potential impacts to surface water include the discharge of sediment into the Black Lake Slough via storm water drainages.

Water Supply. Water is provided for by on-site wells for the surrounding properties, and there are two wells on the project site, each with a capacity of over 350 gallons/minute. One of the wells was sold to the Nipomo Community Services District, so only one well is currently available. The proposed project would use on-site wells as its water source. The Environmental Health Division reviewed the project for water availability and determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project (Laurie Salo; October 7, 2004). Based on the project description, as shown below, reasonable "worst case" indoor water usage would likely be 8.26 acre-feet/year (afy): 7 residential lots (w/ primary & secondary (or 0.85 afy + 0.33 afy) X 7 lots = 8.26 afy (City of Santa Barbara Water Demand Factor & Conservation Study 'User Guide'; August 1989).

The applicant may choose to construct and implement a community water system, as preferred by the California Department of Forestry (refer to Section 7). Implementation of a community water system would require additional review by the County Environmental Health Division including testing and documentation. Use of this type of system would not result in any additional impacts, and would not require the use of additional water resources.

A substantial portion of indoor water is usually recharged back into the water table through the wastewater system. Concentrated areas of recharge, such as community systems or large detention basins can increase the amount recharged back into the groundwater basin. Individual on-site septic systems recharge back to the groundwater basin at a lesser rate. This estimate does not include

water required for landscaping, which would be an additional unknown amount. Approximately 90% of landscape water is typically lost through evapo-transpiration, with about 10 % recharged back into the groundwater table. Based on the location of existing drainages and creeks in the region, there is sufficient evidence of available water sources in the area. Annual use of 5.76 acre-feet by the proposed project would not significantly reduce available water supply in the region.

The project will be using water extracted from the Santa Maria groundwater basin, which is made up of three interconnected sub areas (Tri-Cities, Nipomo Mesa, Santa Maria). Based on the most recent comprehensive study completed for this basin (State Department of Water Resources, "Water Resources of the Arroyo Grande-Nipomo Mesa Area", 2002), while extractions will increase above current levels over the next twenty years, the study concludes that "Supplies appear adequate to meet water demands through water year 2020". However, the study recognizes that there is a sizeable local pumping depression on the Nipomo Mesa that has changed the dynamics of flow between two sub areas (Santa Maria, Nipomo Mesa). The study warns that seawater intrusion could result from this existing pumping depression if water management practices are not changed in the future and this depression continues to grow. Also, due mainly to the absence of current evidence of seawater intrusion, DWR concludes that the basin is not in a state of overdraft. The report does recommend a number of measures to improve monitoring of the basin as well as increase the use of recycled water. On November 2, 2004, the Board of Supervisors certified RMS Level of Severity 2 for water supply in the Nipomo Mesa area, defined as the area subject to the 2.3% growth limit, as depicted in the Growth Management Ordinance. Effective immediately, the County Flood Control and Water Conservation District will implement improved well-monitoring and water quality monitoring programs for this area. Implementation of the proposed project would not result in project-specific impacts to the water supply, but would contribute to the cumulative demand for resources.

Mitigation/Conclusion.

Surface Water. In addition to standard drainage and erosion control measures required by County Ordinance (refer to Section 6), the applicant is required to submit a Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board for disturbance of over one acre. Implementation of these measures would mitigate potential indirect impacts to surface water to less than significant.

Water Usage. The applicant would be required to submit comprehensive water data including all water well logs, pump tests, and complete water analysis for all wells prior to final map recordation (for either an individual well system or community water system). An exhibit showing all well locations, septic systems, and easements would also be required. The applicant has agreed to submit all required water and soil boring data to the County Division of Environmental Health prior to final map recordation. In addition, construction plans for development on the proposed parcels must include indoor and outdoor water conservation measures. Indoor water conservation measures would include: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Outdoor conservation measures include: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems. Based on implementation of these measures, impacts to water resources would be less than significant.

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15. LAND USE - Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g. County Land Use Ordinance, South County Area Plan, Agriculture and Open Space Element, and Clean Air Plan). The project was found to be potentially inconsistent with the Clean Air Plan. The proposed project is not within or adjacent to a Habitat Conservation Plan area. Surrounding land uses include an avocado orchard to the east and northeast, a greenhouse nursery to the north, single family residences and undeveloped land to the west, and Willow Road to the south.

Clean Air Plan. The proposed project is partially inconsistent with the Clean Air Plan, which promotes directing growth to areas within existing urban and village reserve lines (U/VRLs) and encourages the preservation of large residential parcels (20 acres or larger), agriculture, and open space outside of U/VRLs. This inconsistency is not considered a significant impact because the project parcel is located adjacent to the VRL of the Village of Callender-Garret, and air quality mitigation measures would be incorporated into any future development (refer to Section 3).

Mitigation/Conclusion. No significant inconsistencies were identified, and no mitigation measures are necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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- b) **Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)** ☐ ☒ ☐ ☐
- c) **Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?** ☐ ☐ ☒ ☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with a ☒) and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	Attached
<input checked="" type="checkbox"/>	County Parks and Recreation Division	Attached
<input type="checkbox"/>	County Assessor Department	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	No Response
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Department of Conservation	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input checked="" type="checkbox"/>	CA Department of Transportation	Personal Communications

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> South County Area Plan and Update EIR
<input checked="" type="checkbox"/> County documents	<input type="checkbox"/> South County Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	
<input checked="" type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

C.A. Singer and Associates. May 17, 2003. *Cultural Resources Survey and Impact Assessment*.

McLeod, Malcolm. May 17, 2003. *Botanical Survey*.

Morro Group, Inc. October 20, 2004. *Short Noise Report for the Anderson GPA (G020008M), Nipomo, California*.

Exhibit B - Mitigation Summary Table**Aesthetics**

- V-1 Prior to recordation of the final map, the applicant shall show that the existing pine trees adjacent to Willow Road shall be retained.
- V-2 Prior to issuance of grading and building permits for development on Lots 5, 6, and 7, plans shall show that the existing pine trees adjacent to Willow Road shall be retained.
- V-3 Prior to issuance of building permits for individual lot development, the applicant shall submit an exterior lighting plan demonstrating how all exterior lighting would be covered and shielded to minimize off-site glare.

Agricultural Resources

- AG-1 Prior to recordation of the final map, the applicant shall incorporate the agricultural buffers described below and shown on Exhibit C onto the tract map. Habitable structures shall not be permitted within the buffer areas.
 - a. 400 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the northeast.
 - b. 300 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the southeast while retaining existing vegetation on the southeast portion of the project site.
 - c. 300 feet from the edge of the expanded greenhouse operation to the east (240 feet from the eastern property boundary).
- AG-2 Prior to sale of each individual lot and/or residence, the applicant shall provide each new landowner with a copy of the County Right-to-Farm Ordinance and notification regarding adjacent agricultural land uses. Notification shall include typical and potential hours of operation, the types of crops grown and the usual activities that may occur on properties with irrigated orchards or commercial nurseries. This would include noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity.

Noise

- N-1 Prior to recordation of the final map, the applicant shall incorporate a 150-foot noise buffer along the southern property boundary onto the tract map. Habitable structures and outdoor areas accessory to residential uses shall not be permitted within the noise buffer area.

Recreation

- R-1 Prior to recordation of the final map, the applicant shall pay applicable Quimby and Building Division Fees.

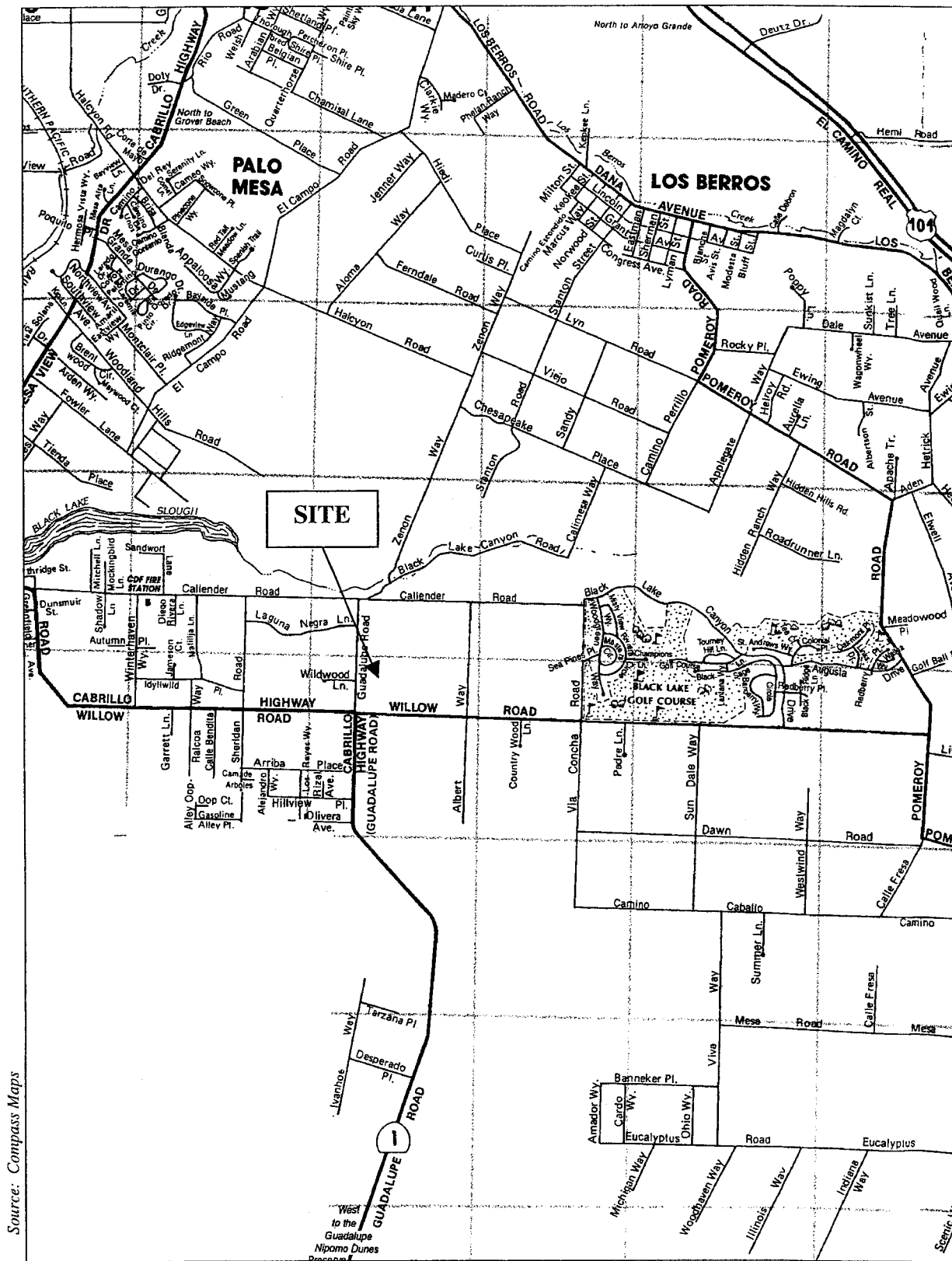
Wastewater

- WW-1 Prior to recordation of the final map, the applicant shall submit the results of soil borings and percolation testing at leach line location showing that there is adequate separation and percolation rates, or plans for an engineered wastewater system that shows how the basin plan criteria can be met.

WW-2 Prior to recordation of the final map, the applicant shall incorporate a 200-foot buffer surrounding the existing public well on the project site. The construction of individual septic systems, leach fields, and associated improvements shall not be permitted within this 200-foot buffer zone.

Water

- W-1 Prior to recordation of the final map, the applicant shall submit water well documentation for each proposed lot including a well completion report, well capacity (pump test) results, and full water quality testing not more than five years old. If a community water system is proposed instead of individual wells on each lot, the system shall be reviewed and approved by the Environmental Health Division, and shall meet testing and reporting requirements.
- W-2 Prior to issuance of grading plans for tract improvements, the applicant shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board. The Best Management Practices (BMPs) identified in the SWPPP shall be implemented during construction of tract and road improvements, and individual lot development.
- W-3 Prior to issuance of building permits for development on the proposed parcels, proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.



Source: Compass Maps



NORTH

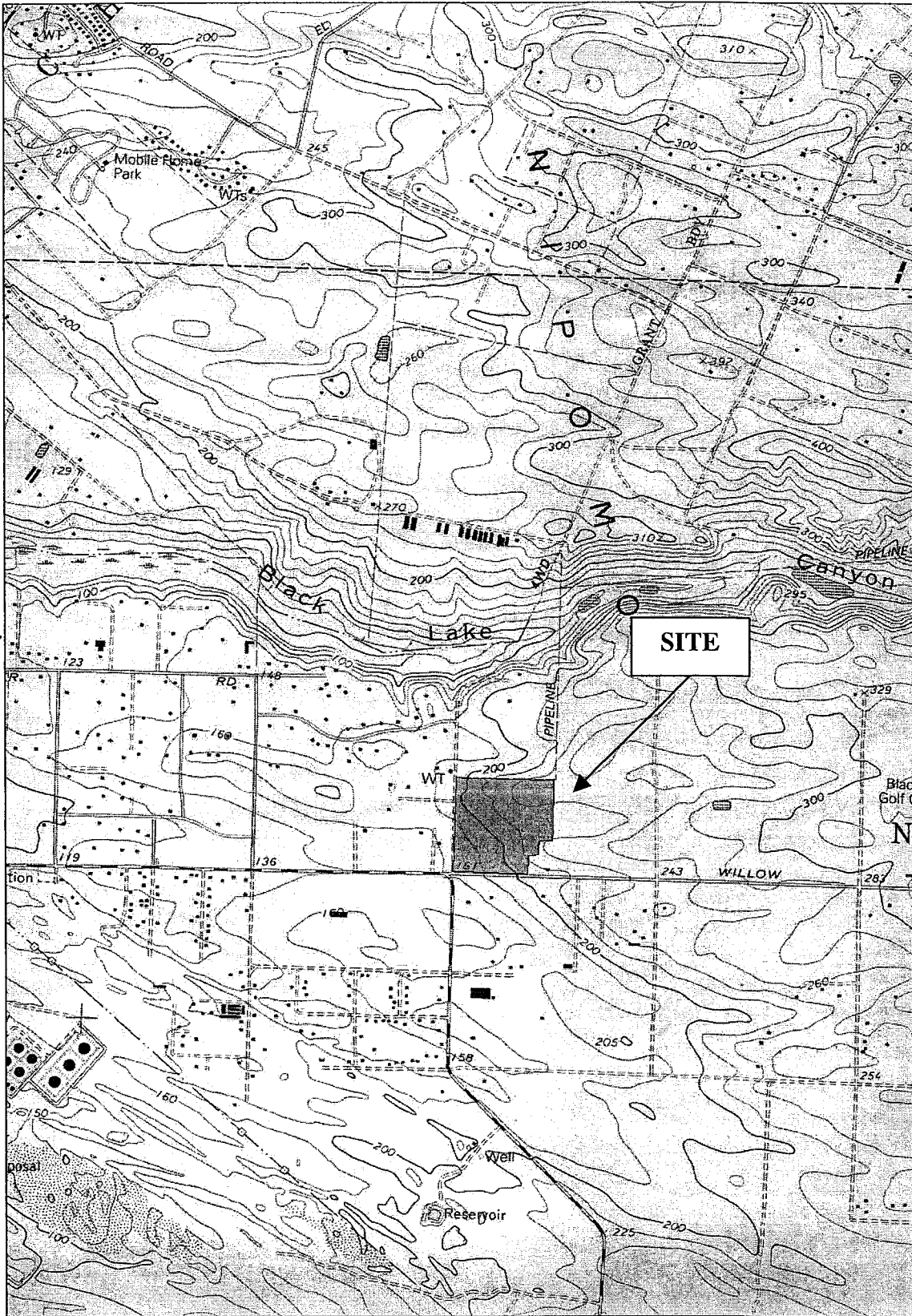
Not to Scale

Morro Group, Inc.

VICINITY MAP
FIGURE 1

4-37

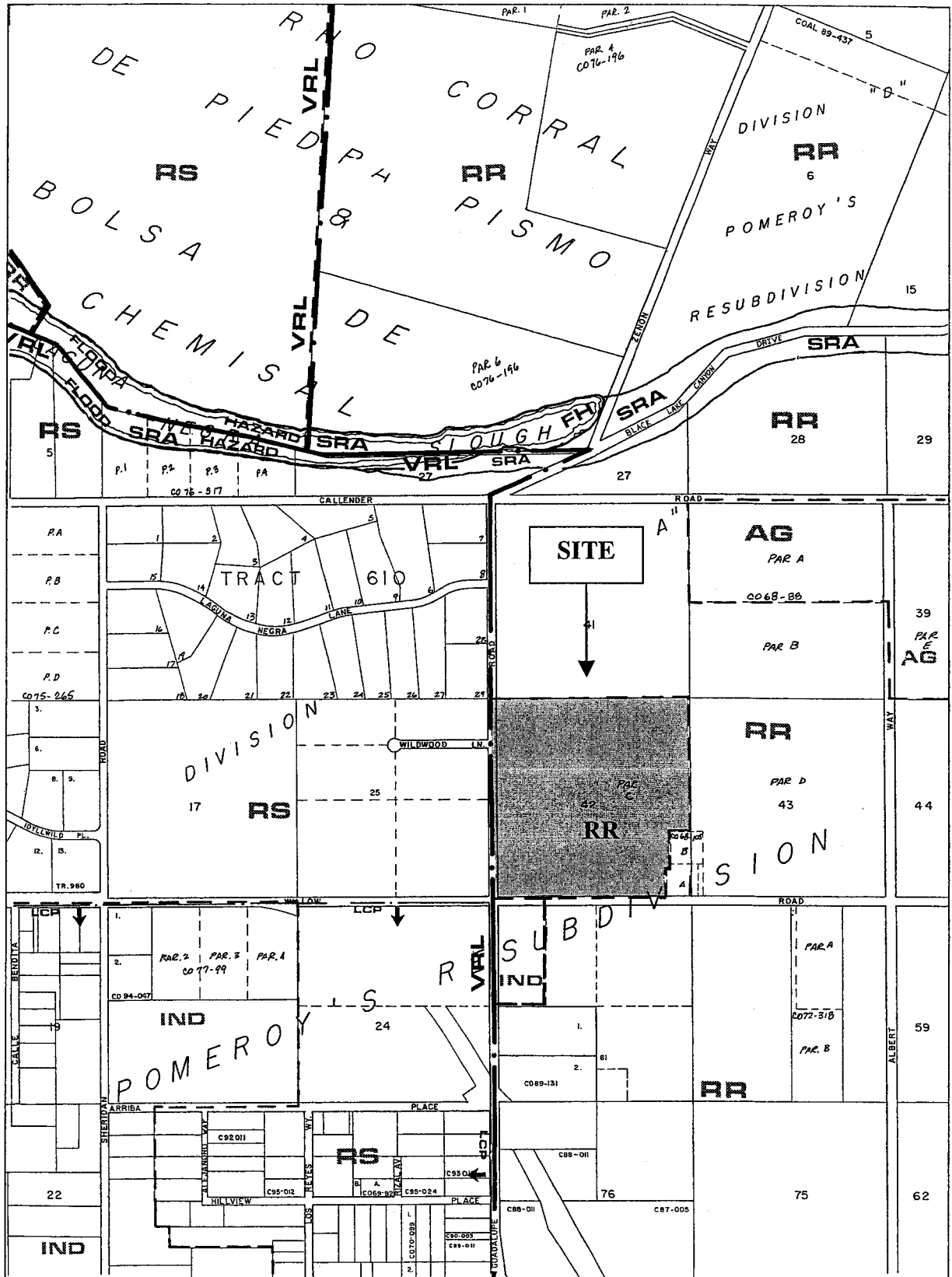
Source: USGS Quadrangle



NORTH
Not to Scale

Morro Group, Inc.

USGS LOCATION MAP
FIGURE 2

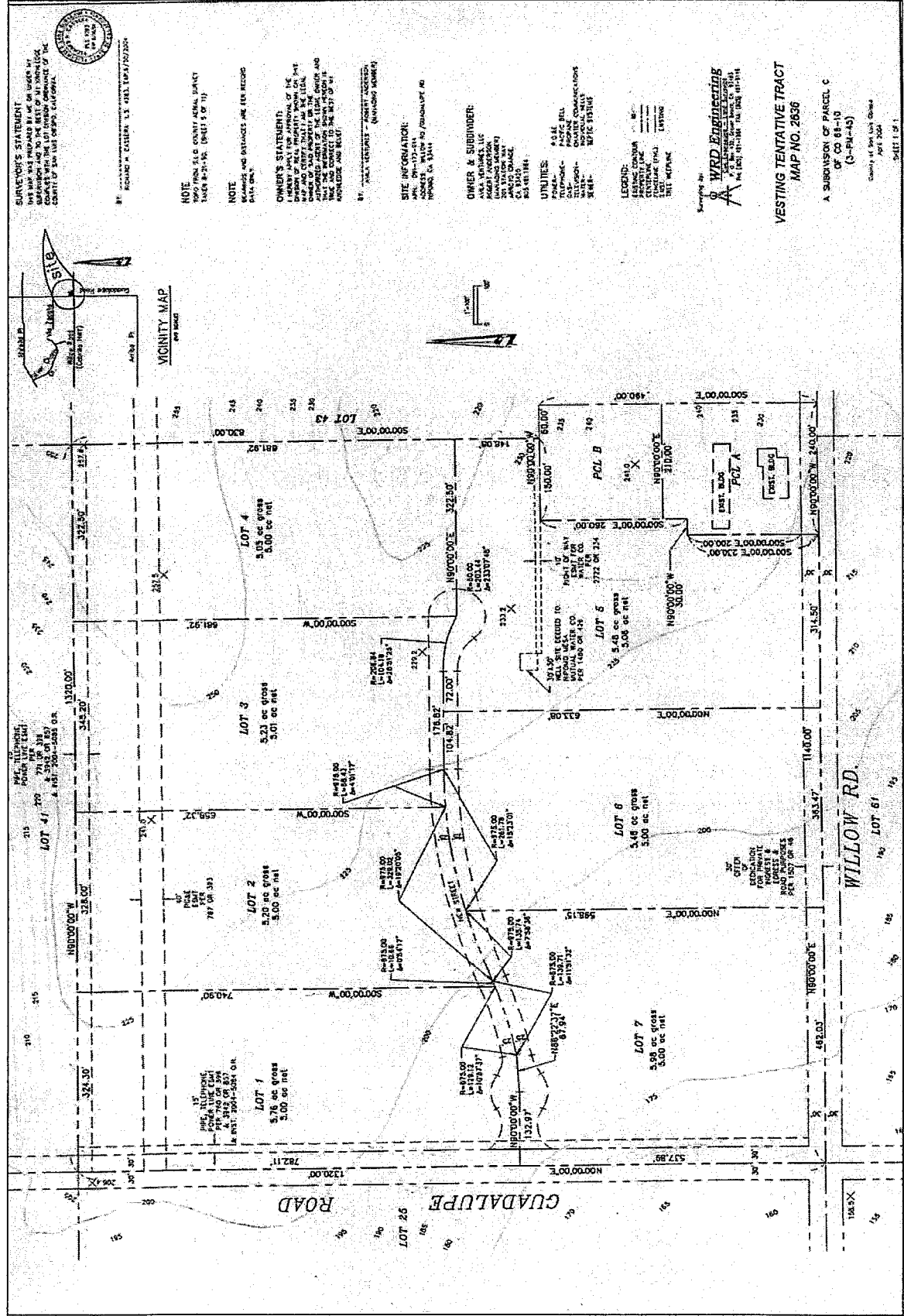


Source: County of San Luis Obispo

NORTH
Not to Scale

**LAND USE CATEGORY MAP
FIGURE 3**

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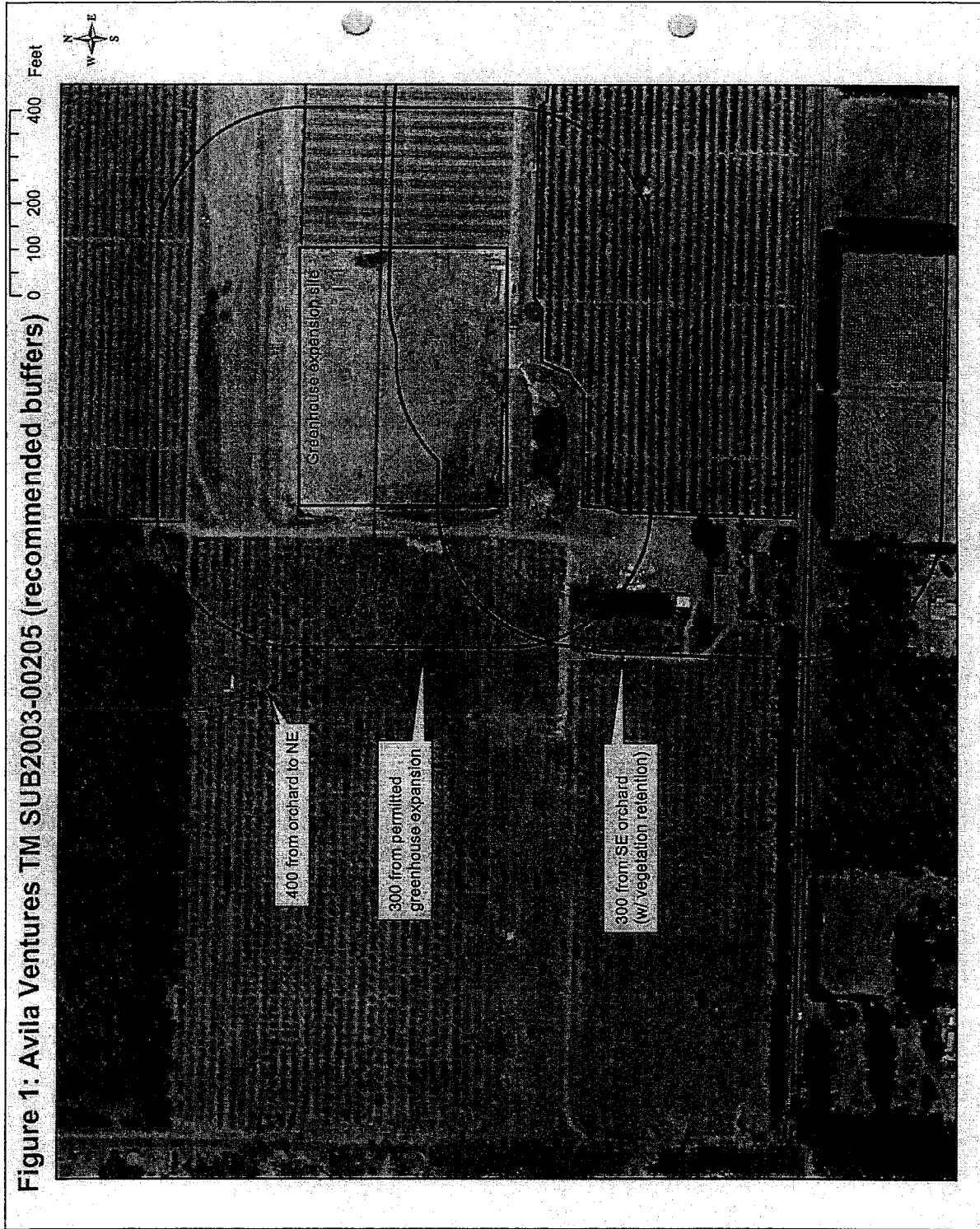


NORTH
Not to Scale

Morro Group, Inc.

VESTING TENTATIVE TRACT MAP
FIGURE 4

Source: WRD Engineering



Source: County of San Luis Obispo



NORTH
Not to Scale

EXHIBIT C

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**DEVELOPER'S STATEMENT FOR THE
AVILA VENTURES TRACT MAP; SUB2003-00205 TR 2636**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

AESTHETICS

- V-1 Prior to recordation of the final map,** the applicant shall show that the existing pine trees adjacent to Willow Road shall be retained.

Monitoring: The Planning and Building Department in consultation with the Public Works Department shall verify required elements on plans.

- V-2 Prior to issuance of grading and building permits for development on Lots 5, 6, and 7,** plans shall show that the existing pine trees adjacent to Willow Road shall be retained.

Monitoring: The Planning and Building Department shall verify required elements on plans.

- V-3 Prior to issuance of building permits for individual lot development,** the applicant shall submit an exterior lighting plan demonstrating how all exterior lighting would be covered and shielded to minimize off-site glare.

Monitoring: The Planning and Building Department shall verify required elements on plans.

AGRICULTURAL RESOURCES

- AG-1 Prior to recordation of the final map,** the applicant shall incorporate the agricultural buffers described below and shown on Exhibit C onto the tract map. Habitable structures shall not be permitted within the buffer areas.

- a. 400 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the northeast.
- b. 300 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the southeast while retaining existing vegetation on the southeast portion of the project site.
- c. 300 feet from the edge of the expanded greenhouse operation to the east (240 feet from the eastern property boundary).

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Monitoring: The Planning and Building Department in consultation with the Public Works Department shall verify required elements on plans.

- AG-2 Prior to sale of each individual lot and/or residence,** the applicant shall provide each new landowner with a copy of the County Right-to-Farm Ordinance and notification regarding adjacent agricultural land uses. Notification shall include typical and potential hours of operation, the types of crops grown and the usual activities that may occur on properties with irrigated orchards or commercial nurseries. This would include noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity.

Monitoring: The Planning and Building Department shall verify compliance.

NOISE

- N-1 Prior to recordation of the final map,** the applicant shall incorporate a 150-foot noise buffer along the southern property boundary onto the tract map. Habitable structures and outdoor areas accessory to residential uses shall not be permitted within the noise buffer area.

Monitoring: The Department of Planning and Building, in consultation with the Department of Public Works shall review and approve all required plans.

RECREATION

- R-1 Prior to recordation of final map,** the applicant shall pay all applicable Quimby and Building Division Fees.

Monitoring: The Department of Planning and Building shall verify compliance.

WASTEWATER

- WW-1 Prior to recordation of the final map,** the applicant shall submit the results of soil borings and percolation testing at leach line location showing that there is adequate separation and percolation rates, or plans for an engineered wastewater system that shows how the basin plan criteria can be met.

Monitoring: The Planning and Building Department in consultation with the Environmental Health Division shall verify compliance.

- WW-2 Prior to recordation of the final map,** the applicant shall incorporate a 200-foot buffer surrounding the existing public well on the project site. The construction of individual septic systems, leach fields, and associated improvements shall not be permitted within this 200-foot buffer zone.

4-43

Monitoring: The Planning and Building Department in consultation with the Public Works Department and Environmental Health Division shall verify required elements on plans.

WATER

- W-1** Prior to recordation of the final map, the applicant shall submit water well documentation for each proposed lot including a well completion report, well capacity (pump test) results, and full water quality testing not more than five years old. If a community water system is proposed instead of individual wells on each lot, the system shall be reviewed and approved by the Environmental Health Division, and shall meet testing and reporting requirements.

Monitoring: The Planning and Building Department, in consultation with the Environmental Health Division shall verify compliance.

- W-2** Prior to issuance of grading plans for tract improvements, the applicant shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board. The Best Management Practices (BMPs) identified in the SWPPP shall be implemented during construction of tract and road improvements, and individual lot development.

Monitoring: The Planning and Building Department, in consultation with the Public Works Department shall verify compliance.

- W-3** Prior to issuance of building permits for development on the proposed parcels, proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

Monitoring: The Planning and Building Department shall verify compliance.

The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Signature of Owner(s)

Date

Name (Print)

4-44

SLO CNTY
PLANNING/BUILDING
DEPT

Avila Ventures, LLC

2005 JUL 12 PM 2:07

10 July 2005

Brian Pedrotti
Current Planner/South County
San Luis Obispo County
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

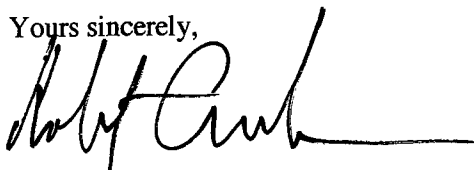
RE: Case Number SUB2003-00205 / Tract 2636

Dear Brian,

Our Tentative Tract Map is up for review at Thursday's hearing, and I wanted to let you know that we will be asking for relief from one of the agricultural buffer requirements.

I have enclosed a copy of a letter I sent to each of the commissioners with supporting documents. Because the letters were only delivered today (Tuesday), they all may not have time to review the material before the meeting on Thursday, but at least they will have it in their possession.

Yours sincerely,



Dr. Robert Anderson
Managing Partner

4-45

Avila Ventures, LLC

10 July 2005

Planning Commissioner
San Luis Obispo County
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

RE: Tract 2636 / Staff Report Conditions of Approval, Section 23

Dear Commissioner,

Please find enclosed the following referenced attachments:

- Attachment A: Staff Report "Conditions of Approval" (reference section 23)
- Attachment B: Aerial photograph of applicant's parcel and parcel to the east.
- Attachment C: Appendix D, Agricultural Buffer Policies, County Agricultural and Open Space Element of the County's General Plan.

As the above case is coming up for review at the Planning Commission hearing on July 14, I would like to draw your attention to Section 23 of the Staff Report's Conditions of Approval. Paragraph f-iii recommends an agricultural buffer "300 feet from the edge of the expanded greenhouse operation to the east (240 feet from the eastern property boundary)."

If you will examine the aerial photograph (attachment B), you will see that "the expanded greenhouse operation to the east" as referenced in the staff report does not currently exist. The parcel to the east is currently zoned Rural Residential, not Agricultural. According to the county's agricultural buffer policies (see Attachment C), buffers may not be recommended for "Future Production Ag. Use" if the parcel is not zoned Agricultural (page D-7).

(continued)

4-46

Furthermore, on page D-6 of the same document, greenhouses are not listed as a "Type of Agricultural Use" requiring a buffer. Even if the greenhouse were to be classified as a "wholesale nursery," the buffer range recommended for such a structure would be between 100 and 500 feet, and the applicant's eastern property line is more than 600 feet from the current structure.

Since the 300 foot agricultural buffer proposed in the staff report (page 8, section 23, paragraph f-iii) cannot be supported by the county's published agricultural buffer policies, we respectfully request that the requirement be dropped.

Yours sincerely,

Dr. Robert Anderson
Managing Partner



County of San Luis Obispo • Public Health Department

RECEIVED

OCT 08 2004

Planning & EIR

Environmental Health Services

2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director

Curtis A. Batson, R.E.H.S.
Director

October 7, 2004

Avila Ventures, LLC
201 Station Way
Arroyo Grande, CA 93420

ATTN: ROBERT ANDERSON
RE: TENTATIVE TRACT MAP 2636/SR# 4671 (Avila Ventures)

Water Supply

This office is in receipt of satisfactory **preliminary** evidence of water. Please be advised that additional water well documentation will be required for **each** lot prior to approving the map for recordation. Adequate documentation will include the well completion report, the well capacity (pump test) and full water quality testing, not more than five years old, prior to final recordation.

Wastewater Disposal

Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State installation requirements can be met. Be advised that a public water well is located on proposed parcel 5 and will need to be protected from all sources of contamination by a setback of 200 feet. All septic system installations must occur outside of this 200-foot zone. Please provide a full size map with the 200-foot protection area and how it affects the adjacent properties for development.

TRACT 2636 is approved for Environmental Health subdivision map processing.

Laurie A. Salo

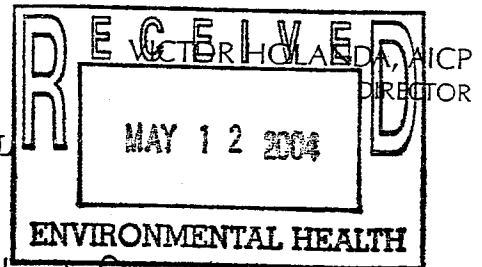
LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

c: Kami Griffin, County Planning
Robert Anderson, Manager
Marina Michel, Env. Health, Public Water Systems



4-48
14
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

SR 4671
INV 32257



BP
THIS IS A NEW PROJECT REFERRAL

DATE: 5/13/2004
TO: Env. Health
FROM: South Co. Team
(Please direct response to the above)

Avila Ventures
SUB 2003-00205
Project Name and Number

Development Review Section (Phone: 781-788-2009 Taryn)

PROJECT DESCRIPTION: Divide parcel into 7 lots. 38.15
acres total involved. (Tract Map 2636)

Return this letter with your comments attached no later than: 5/27/2004

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
____ YES (Please go on to Part II)
____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
____ NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

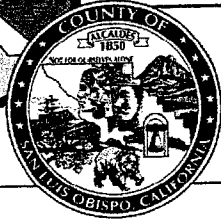
Provide applicant with stock conditions for individual wells and on-site septic
systems. In order to process this project Environmental Health
will need evidence of on-site water. The well site on proposed
parcel 5 will need to be protected from sources of contamination by
200 feet. Please show this set-back on all maps, and all other

5/27/04 Lauri Sal 781-5551
Date Name Phone

facilities that may be located on the proposed parcel.

4-49

MAR 25 2005



CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

March 22, 2005

Morro Group, Inc
1422 Monterey St., Suite C200
San Luis Obispo, CA 93401

Subject: Tract Map Project # SUB2003-00205

Dear Shawna Scott,

I have reviewed the referral for the tract map plans for the proposed seven parcel subdivision project located at Willow Rd. & Guadalupe Rd., Nipomo. This project is located approximately 5 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a high fire severity zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

○ Parcels less than 1 acres	800 feet
○ Parcels 1 acre to 4.99 acres	1320 feet
○ Parcels 5 acres to 19.99 acres	2640 feet
○ Parcels 20 acres or larger	5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.

4-50

- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☒ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☐ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

The proposed project is surrounded by community type water systems. The use of onsite wells and water storage tanks for fire suppression severely limits the capabilities of the County Fire Department. As Nipomo continues to grow we are faced with an infrastructure of countless wells and tanks. Our preference is a community type water system. A community water system is more reliable and is pressurized with an unlimited water supply, as opposed to a draft system which will require our fire engines to draft and will require more time and personnel.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,


Gilbert R. Portillo

Fire Inspector

c: Avila Ventures, LLC
San Luis Obispo County Planning/Building



4-5/

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

2004 MAY 12 PM 1:48
THIS IS A NEW PROJECT REFERRAL

DATE:

5/13/2004 07/06/07

FROM:

Parks - J. Dileo

TO:

South Co. Team

(Please direct response to the above)

Avila Ventures

SUB 2003-00205

Project Name and Number

Development Review Section (Phone: 781-788-2009) Taryn

PROJECT DESCRIPTION:

Divide parcel into 7 lots. 38.15
acres total involved. (Tract Map 2636)

Return this letter with your comments attached no later than:

5/27/2004

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

 YES (Please go on to Part II)
 NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

 NO (Please go on to Part III)
 YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

1) provide assessment for detached trail (to A1x standard)
along William Rd
2) Require applicable Building Department and Quimby
fees

5/21/04
Date

Name

Phone



4-52
S/ LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

MAY 12 2004

THIS IS A NEW PROJECT REFERRAL

DATE:

5/13/2004

FROM

PW



South Co. Team
(Please direct response to the above)

Avila Ventures
SUB 2003-00205
Project Name and Number

Development Review Section (Phone: 781-788-2009 Taryn)

PROJECT DESCRIPTION: Divide parcel into 7 lots. 38.15
acres total involved. (Tract Map 2636)

Return this letter with your comments attached no later than:

5/27/2004

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND APPROVAL - STOPS ATTACHED. THE NE'LY CORNER OF GUNDALUPPE
* Willow to be improved per Caltrans Hwy Design Manual, IN ADDITION THEY NEED TO PROVIDE
A LEFT TURN LANE ON WILLOW RD FOR EAST BOUND TRAFFIC. Willow Rd will exceed
100 ADT, Co Std calls for 24 ft of pavement with 8 ft shoulders, IF AC BEAMS ARE NEEDED
FOR DRAINAGE OR EROSION CONTROL THE SHOULDER NEEDS TO BE PAVED (EXISTING PAVEMENT IS 24 ft.)

16 JUNE 2004
Date

Goodwin
Name

5252
Phone

4-53

EXHIBIT B

CONDITIONS OF APPROVAL FOR TRACT 2636, AVILA VENTURESApproved Project

This approval authorizes the division of a _____ acre parcel into _____ parcels of _____ acres / square feet each.

Access and Improvements

☒ Roads and/or streets to be constructed to the following standards:

a. NEW STREET constructed to a A-1 section within a 50 foot dedicated right-of-way.

b. GUADALUPE AND WILLOW RDS widened to complete a A-1 section fronting the property.

c. _____ constructed to a _____ section from the property to _____ (minimum paved width to be _____ feet).

☒ The applicant offer for dedication to the public by certificate on the map or by separate document:

a. For future road improvement _____ feet along _____ to be described as _____ feet from the recorded centerline.

b. For future road improvement _____ feet along _____ to be described as _____.

c. For road widening purposes _____ feet along _____, to be described as _____ feet from the recorded centerline.

d. The _____ foot road easement as shown on the tentative parcel map with a _____ foot radius property line return at the intersection of _____.

e. A 20 foot radius property line return at the intersection of GUADALUPE & WILLOW RDS.

f. The 50 foot road easement ^{for new on site street} terminating in a county cul-de-sac as shown on the tentative map.

4-54

- ☒ The intersection of GUADALUPE and Willow Rd shall be designed in accordance with California Highway Design Manual SECTION 405.7 AND CONSTRUCTED ON THE PROJECT SIDE OF THE TWO ROADS (ADDITIONAL R/W MAY BE REQUIRED)
- ☒ Access be denied to lots 1, 5, 6 & 7 from GUADALUPE & WILLOW ROADS EXCEPT AT NEW STREET and that this be by certificate and designation on the map.

- ☐ The future alignment of _____ shall be shown on the map as reserved for future public right-of-way.
- ☐ A private easement be reserved on the map for access to lots _____.
- ☐ A practical plan and profile for access to lots _____ be submitted to the Department of Public Works and the Department of Planning and Building for approval.
- ☐ All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

- ☒ Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
- a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
 - h. Trail plan, to be approved jointly with the Park Division.

- ☒ The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

- ☒ The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

- ☐ If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
- a. Submit a copy of all such permits to the Department of Public Works OR
 - b. Document that the regulatory agencies have determined that said permit is not longer required.

4-55

Drainage

- ☐ _____ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.
- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
- ☒ Submit complete drainage calculations to the Department of Public Works for review and approval.
- ☒ If calculations so indicate, drainage must be **retained/detained** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- ☒ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. granted to the public in fee free of any encumbrance.
 - ☒ b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
 - c. reserved as a drainage easement in favor of the owners and assigns.
- ☐ If a drainage basin is required, a zone of benefit be formed within _____ for maintenance of the drainage basin. Application to be filed with the The Department of Public Works Administrator.
- ☐ If a drainage basin is required, this development be annexed to _____ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.
- ☐ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel(s) _____, only).
- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall **be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association.** Impervious paving over a disposal area is not considered acceptable.

4-56

- ☐ A long term community septic tank and disposal area maintenance plan be submitted to the the Department of Public Works and Health Department and the Regional Water Quality Control Board for review prior to the filing of the final parcel or tract map.
- ☐ The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final parcel or tract map.
- ☐ This land division shall be annexed to _____ prior to the filing of the final parcel or tract map for **water service/water and sewer service/sewer maintenance/community septic system maintenance/**_____.

Soils Report

- ☐ A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.
- ☐ Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

Utilities

- ☒ Electric and telephone lines shall be installed **underground** ^{or} **overhead**.
- ☒ Cable T.V. conduits shall be installed in the street.
- ☒ Gas lines shall be installed.
- ☐ A _____ feet public utility easement on private property along _____, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

Design

- ☐ The lots shall be numbered in sequence.
- ☐ The _____ on lot _____ be removed or brought into conformance with the **Land Use Ordinance / Coastal Zone Land Use Ordinance** prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The lot area of _____ shall contain a minimum area of _____ exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22/23.04.021).

4-57



The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map ~~AND~~ ON THE IMPROVEMENT PLANS.

Vector Control and Solid Waste

- ☐ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet **Land Use Ordinance / Coastal Zone Land Use Ordinance** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

- ☐ Provide minimum fire flow of _____ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet. (USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)

Parks and Recreation (Quimby) Fees

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total **number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.**
- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

Affordable Housing Fee

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

4-58

Easements

- ☐ The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.
- ☐ An open space easement be recorded for the open space parcel(s). It is to be held ***in single ownership / in common by the Homeowner's Association / or transferred to a public trust or conservancy agency approved by the Department of Planning and Building***. The open space parcel is to be maintained as such in perpetuity.

Landscape Plans

- ☐ If a ***drainage basin*** is required, then submit detailed landscaping plans in compliance with Section 22/23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
 - a. Drainage basin fencing. (*ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN*)
 - b. Drainage basin perimeter landscape screening. (*ONLY USE FOR FENCED BASINS*)
 - c. Landscaping for erosion control.
- ☐ All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within _____ days of completion of the improvements.

Mitigations PUT ANY MITIGATIONS FROM DEVELOPER STATEMENT HERE **ONLY IF THEY CAN BE COMPLETED PRIOR TO THE RECORDATION OF THE MAP**

- ☐ _____
- ☐ _____

Additional Map Sheet

- ☒ The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

CHOOSE APPLICABLE PROVISIONS

- a. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of drainage basin fencing in perpetuity.
- b. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of ***drainage basin / adjacent*** landscaping in a viable condition on a continuing basis into perpetuity.
- c. That secondary dwellings shall not be allowed on ***all lots within the land division / on lots*** _____.

457

- d. Designated building sites (and access drives) shall be shown on the additional map sheet reflecting the approved tentative map. **At the time of application for construction permits**, the applicant shall clearly delineate the approved building site and access drive on the project plans.
- e. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- f. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- g. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
- h. The limits of inundation from a 100 year storm over lots _____ from _____ **creek / river** shall be shown on the additional map and note the required building restriction in the on the sheet.
- i. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- j. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated _____ from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. **(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)**
- l. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- m. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE **ONLY IF THEY GO BEYOND RECORDATION OF THE MAP** _____

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Covenants, Conditions and Restrictions



The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

CHOOSE APPLICABLE PROVISIONS

- a. On-going maintenance of drainage basin fencing in perpetuity.
- b. On-going maintenance of **drainage basin / adjacent** landscaping in a viable condition on a continuing basis into perpetuity.
- b. Maintenance of drainage basin landscaping.
- c. Maintenance of common areas.
- d. Secondary dwellings shall not be allowed.
- e. Designated building sites (and access drives) shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map.
- f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- h. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on an exhibit attached to the CC&R's. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year.
- i. Maintenance of all local streets within the subdivision until acceptance by a public agency.
- j. The limits of inundation from a 100 year storm over lots _____ from _____ **creek / river** shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. (ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)
- l. _____

Low Cost Housing (USE IN COASTAL ZONE ONLY)

- ☐ Provide _____ residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the _____ units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

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Miscellaneous



This subdivision is also subject to the standard conditions of approval for all subdivisions using **community water and sewer / community water and septic tanks / individual wells and septic tanks**, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

- ☐ A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
- ☐ Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
- ☐ Prior to the sale of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.
- ☐ All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

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COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Masurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556
ROBERT F. LILLEY (805) 781-5910
AGRICULTURAL COMMISSIONER/SEALER FAX (805) 781-1035

AgCommSLO@co.slo.ca.us

RECEIVED

AUG 04 2004

DATE: August 3, 2004

Planning & Bldg

TO: Brian Pedrotti, Planner III

FROM: Michael Isensee, Agricultural Resource Specialist *MIS*

SUBJECT: Avila Ventures Tract Map, Sub2003-00205 (AG#0894)

SUMMARY OF FINDINGS

The Agriculture Department's review finds that the proposed Avila Ventures Tract Map has:

Less than significant impact(s) to agricultural resources or operations with the following recommended mitigation measures:

- 1) buffers of adjacent agricultural lands and uses to the east (see below and attached figure for details, and
- 2) notification of future owners and occupants of the County's right to farm ordinance and detailed disclosure of activities, including hours of operation, on adjacent agricultural lands (Chapter 5.16).

The comments and recommendations in our report are based on policies in the San Luis Obispo County Agriculture and Open Space Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA), and on current departmental policy to conserve agricultural resources and to provide for public health, safety and welfare while mitigating negative impacts of development to agriculture.

INTRODUCTION

This report responds to your request for comments on the proposed **Avila Ventures Tract Map, located at the corner of Guadalupe Road and Willow Road on the Nipomo Mesa, at the eastern edge of the Callendar-Garrett Village Reserve Area.** Our review is based on information from a site visit, review of maps and photos of the project, aerial photography, a review of surrounding agricultural uses (current, potential and historical), a review of adjacent land uses and adjacent zoning, and policies which pertain to the County general plan.

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PROJECT INFORMATION

The applicant proposes to divide a 38-acre parcel into 7 5-acre parcels. The land is located at the eastern edge of the Callendar-Garrett Village Reserve Areas and is adjacent to agricultural uses immediately to the east and northeast and near agricultural operations to the north and southeast. The parcel in question has recently been rezoned from Agriculture to Rural Residential and is located in one of the few remaining areas with numerous adjacent agricultural operations. The project site soils are entirely class IV irrigated, class VI non-irrigated.

The soil type is *Oceano sand*, 0-9 percent slope (Natural Resources Conservation Services, 1984, Soil Survey of San Luis Obispo County, Coastal Part). *Oceano sand* is being utilized throughout the Nipomo Mesa for greenhouses, strawberries and orchards and is considered *farmland of statewide importance* when irrigated. In recent years it has become increasingly used for specialty crops and is an important soil type in the county. *Oceano sand* has benefited from the water efficiencies inherent in the utilization of drip irrigation, which has supported the expansion of the avocado and strawberry industries on the Nipomo Mesa. As noted earlier, the moderate microclimates on the Mesa have also supported continued growth in both the indoor and outdoor nursery industry. Adjacent agricultural uses of this soil include extensive avocado orchards, Christmas trees, indoor and outdoor nurseries, strawberries, kiwi, and irrigated row crops.

Nearby parcels are utilized for production agriculture. To the east of the project is 6 acres of greenhouses and approximately 40 acres of avocado. To the north, separated by a 600-foot wide Eucalyptus grove, is a 10-acre outdoor plant nursery. To the southwest across Highway 1 is a field that has historically been utilized for the production of vegetables and strawberries and to the southeast is a 4-acre Christmas tree farm. Residential development of the project site has the potential to negatively impact existing agricultural operations through trespass, theft of product, damage to equipment, and complaints about the dust, odors, noise and legal pesticide use nearby farm operations can generate.

PROJECT EVALUATION

As a residential subdivision immediately adjacent to intensively utilized agricultural lands, the proposed tract map this project represents an incursion of residential use into what has historically been agricultural land. This project may diminish the agricultural capacity in the area if new residents, through either their complaints or their actions, increase the amount of time or the costs associated with growing crops on nearby lands. Growers, often working within small margins of profit, may find that new development and its associated impacts reduce or eliminate the profitability of growing. Growers will often then seek the conversion of their land to developed use and either relocate their operation or leave the agricultural business. Recognizing this, the County passed a right to farm ordinance and a policy to buffer new residential uses adjacent to land utilized for or zoned for agriculture. This is meant to reduce the growth-inducing impacts of new development adjacent to agriculture.

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while also reducing the likelihood of land use conflicts that may occur between agricultural and non-agricultural uses.

RECOMMENDED MITIGATION MEASURES

Based on our findings and conclusion in the previous section, **the following, mitigation measures are recommended:**

- Establish buffers on eastern portion of the site in order to minimize the potential for conflicts between agricultural activities and residential use (see Figure 1 for details). Based on existing buffer policy developed under Agricultural Policy 17 of the County General Plan, buffers between existing orchards and adjacent residential use should be between 300 and 800 feet, while buffers with wholesale nurseries, including greenhouses, should be between 100 and 500 feet. These buffers are for habitable structures only. The Agriculture Department recommends the following buffers:
 1. 400 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the northeast. These buffers retain a sizeable development area on the parcel while providing protection to both the future homeowner and the adjacent agricultural operation to the dust, noise, and legal pesticide use that may occur.
 2. 300 feet from the existing avocado orchard (edge of actively farmed areas, not property lines) to the southeast while retaining existing vegetation on the southeast portion of the project site. The vegetation and existing residential use provide a partial buffer for new residents and allow for the minimum buffer of 300 feet to be utilized.
 3. 300 feet from the edge of the expanded greenhouse operation to the east. The current expansion of the greenhouse has a setback from the property line of 60 feet, so the buffer on the project site is 240 feet. The grade separation combined with the vegetative screening the greenhouse operator is required to plant allows for a reduced buffer despite the large scale of the greenhouse operation (approximately 300,000 square feet when completed).
- Require disclosure regarding the County's right to farm ordinance (Chapter 5.16) at the time of sale of real property to all future owners. Requiring notification will help limit the likelihood of complaints and assist potential owners to understand residential life adjacent to active commercial agriculture. Notification should include information about adjacent agricultural operations including typical and potential hours of operation, the types of crops grown and the usual activities that may occur on properties with irrigated orchards or commercial nurseries. This would include noise, dust, odors, legal pesticide use, lights, nighttime operation, and early morning activity.

Please call 781-5753 if I can be of further assistance.

Attached:

Figure 1: Recommended buffers

Ag. Department letter re: General Plan Amendment G020008M

Figure 1: Avila Ventures TM SUB2003-00205 (recommended buffers)

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